

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

TRUSTEES OF THE PLUMBERS & PIPEFITTERS'  
NATIONAL PENSION FUND; TRUSTEES OF THE  
PLUMBERS & PIPEFITTERS' INTERNATIONAL  
TRAINING FUND; TRUSTEES OF THE PLUMBERS &  
PIPEFITTERS' LOCAL UNION NO. 4 HEALTH &  
WELFARE FUND; PENSION FUND; ANNUITY FUND;  
JOINT APPRENTICE TRAINING FUND; INDUSTRY  
FUND; BUILDING & RELIEF FUND and PLUMBERS AND  
PIPEFITTERS' UNION LOCAL NO. 4

*Plaintiffs*

VS.

HVAC MECHANICAL SYSTEMS, INC.

*Defendant*

Civil Action No.  
04-11776 (NG)

September 30, 2004


**MOTION FOR DEFAULT FOR FAILURE TO PLEAD**

The Plaintiffs in the above-captioned action hereby represent that the time limit for responding to their Complaint has passed and that the Defendant, HVAC Mechanical Systems, Inc., has failed to respond to the Plaintiffs' Complaint as required by Rule 12(a) of the Federal Rules of Civil Procedure.

WHEREFORE, the Plaintiffs, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, respectfully move this Court to enter default against said Defendant for failure to plead.

THE PLAINTIFFS,

By:



John M. Brown, Esq.  
ROBERT M. CHEVERIE  
& ASSOCIATES, P.C.  
333 East River Drive Suite 101  
East Hartford, CT 06108  
Tele. No.: (860) 290-9610  
BBO # 651103  
THEIR ATTORNEY

**C E R T I F I C A T I O N**

I hereby certify that a copy of the foregoing Motion for Default for Failure to Plead has been mailed, first-class and postage prepaid, this 30<sup>th</sup> day of September 2004 to the following:

HVAC Mechanical Systems, Inc.  
*c/o Its President:*  
Robert F. Marzeoti  
34 Sullivan Road  
Unit 17  
North Billerica, MA 01862

and

HVAC Mechanical Systems, Inc.  
*c/o Its President:*  
Robert F. Marzeoti  
46 Letchworth Avenue  
North Billerica, MA 01862

  
JOHN M. BROWN

JMB,LOCAL 4,HVAC MECHANICAL SYSTEMS, INC.  
Motion for Default for Failure to Reply,9.30.04